IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO. 59 OF 2005

Shri Satish Pandharinath Joshi. ... Appellant.

V/s

Maharashtra State Financial
Corporation. ... Respondent.

Mr.R.V.Govilkar for the appellant.

Mr.Pankaj Kowli i/b. M/s.U.M.Jhaveri
for the respondent.

CORAM: A.S. OKA, J.

DATE: 1st March, 2005.

P.C. :

. The learned counsel for the respondent states that on 20th March 2001 the Respondent - Corporation has disposed of the property which is a subject matter of Civil Suit No.1942 of 1990. He states that thereafter Special Civil Suit No.425 of 2000 was filed by the Appellant in the Civil Court at Pune for redemption of mortgage and the said suit has been dismissed on 10th March 2004.

2. Shri Govilkar, learned counsel appearing for the Appellant states that the Appellant has not communicated with him and has not given any instructions and, therefore he is unable to offer any comments on the statement made by the learned counsel

for the Respondent. The statement made by the Respondent is accepted.

3. The present Appeal from Order takes exception to the order dated 26th June 2000 passed by the learned trial Judge by which an Application for condonation of delay in taking out Application for restoration of Civil Suit No.1942 of 1990 was rejected. It is an admitted position that the suit was simplicitor for injunction. In view of the statement made by the learned counsel for the Respondent, no purpose would be served by entertaining this Appeal. Hence Appeal is dismissed with no order as to costs.

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